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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF: WITHERS et al.  
SERIAL NO.: 10/828,641  
FILED: April 21, 2004  
FOR: Thermal and Electrochemical Process for Metal Production  
GROUP: 1742  
DOCKET: MER 03.01

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In connection with the above-entitled matter, Applicants hereby proffer U.S. Patent Office Form PTO-1449, including copies of the article references listed therein. These references are discussed in the specification or were considered prior to the initial filing. Applicants are not submitting copies of the U.S. Patent reference(s)/U.S. Patent Publication(s) as the Office waived the requirement under 37 CFR 1.98(a)(2)(i) on July 11, 2003. The claims in the present application are believed to be patentably distinguished over these references.

This information disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

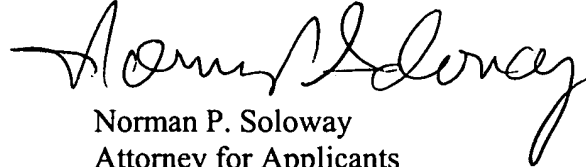
The enclosed Information Disclosure Statement is being submitted prior to issuance of the first action on the merits. Therefore, we believe there are no fees involved with this

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Information Disclosure Statement. In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.


Respectfully submitted,



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Attorney for Applicants  
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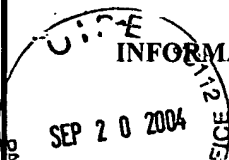
**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 15, 2004 at Tucson, Arizona.

By: 

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 <p style="text-align: center;"><b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)</p>	Docket Number (Optional) <b>MER 03.01</b>	Application Number <b>10/828,641</b>
	Applicant(s) <b>WITHERS et al.</b>	
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**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
		5,772,724	6.30.98	INOUE et al.	75	10.13	
		4,670,110	6.2.87	WITHERS et al.	204	67	
		4,338,177	7.6.82	WITHERS et al.	204	243	
		4,342,637	8.3.82	WITHERS et al.	204	282	
		4,409,083	10.11.83	UPPERMAN et al.	204	245	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

		"Direct Electorchemical Reduction of Titanium Dioxide to Titanium in Molten Calcium Chloride" Chen et al., <i>Letters to Nature</i> , Vol. 407, 2000, pgs. 361-364
		"The Fusion Electrolysis of Titanium, Sixth Castner Memorial Lecture" Kroll, <i>Chemistry and Industry</i> , 1960, pgs. 1314-1322

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		4,431,503	2.14.84	WIHTERS et al.	204	294	
		5,224,534	7.6.93	SHIMIZU et al.	164	469	
		3,825,415	7.23.74	JOHNSTON et al.	75	84.5	
		3,989,511	11.2.76	FEY et al.	75	.5	
		4,080,194	3.21.78	FEY	75	10	

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REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
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**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		"The Production of Ductile Titanium" Kroll, Paper presented and the Seventy-Eighth General Meeting, 1940, pgs. 35-47
		"Metallic Titanium" Hunter, <i>General, Physical and Inorganic</i> , pgs. 330-338

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		4,107,445	8.15.78	WOLF et al.	13	2	
		4,127,409	11.28.78	MEGY	75	84.4	
		4,373,947	2.15.83	BUTTNER et al.	75	0.5	
		6,231,636	5.15.01	FROES et al.	75	352	
		4,670,110	6.2.87	WITHERS et al.	204	67	

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						YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		"Why Produce Titanium by EW?" Ginatta, <i>Industrial Insight</i> , 2000, pgs. 18-20
		"Some Observations on the Kroll Process for Titanium" Wartman et al., <i>Journal of the Electrochemical Society</i> , 1954, pgs. 507-513

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"Sodium Reduction of Titanic Chloride" Homme et al., *Report of Investigations 5398*, 1958, pgs. 1-29

"Mechanism of Sodium Reduction of Titanium Chloride in Fused Salts" Henri et al., *Report of Investigations 5661*, pgs. 1-37

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